this cause, and to add thereto if necessary by the fourth Monday of October next, and to them it is granted, and the same are delivered to the Sheriff and Surveyor aforesaid for that purpose. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties and their attornies aforesaid, and by order of the Court here thereon, is further continued until the fourth monday of October next: At which said fourth Monday of October eighteen hundred and twenty three, come again into the County Court here, as well the said Richard Fenn Lessee as aforesaid, by his attorney aforesaid, as the said Robinson by his attorney aforesaid. Whereupon the parties aforesaid by their attornies aforesaid pray leave of the Court here to add and amend the plots and certificates returned to the Court here in this cause if necessary by the first Monday of March next, and to them it is granted. Thereupon further process of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties and their attornies aforesaid, and by order of the Court here thereon is further continued until the first Monday of March next. At which said first Monday of March eighteen hundred and twenty four come again into the County Court here, as well the said Richard Fenn Lessee as aforesaid by his attorney aforesaid, and the said Sheriff and Surveyor of the county aforesaid to whom the said plots and certificates were delivered for the purpose of amending or adding thereto if necessary, return the same to the Court here as amended. Whereupon further process of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties and their attornies aforesaid, and by order of the Court here thereon is further continued until the first Monday of August next. At which said first Monday of August eighteen hundred and twenty four comes again into the county Court here as well the said Richard Fenn Lessee as aforesaid by his attorney aforesaid, as the said Robinson by his attorney aforesaid. Whereupon the parties aforesaid, by their attornies aforesaid, pray leave of the Court here further to amend the plots and certificates returned to the Court here in this cause, and to add thereto if necessary, by the first Monday of February next. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties and their attornies aforesaid, and by order of the Court here thereon is further continued until the first Monday of February next. At which said first Monday of February eighteen hundred and twenty five, comes again into the county Court here as well the said Richard Fenn Lessee as aforesaid by his attorney aforesaid, as the said Robinson by his attorney aforesaid. And the said Sheriff and Surveyor of the county aforesaid, to whom the said plots and certificates were delivered, for the purpose of amending or adding thereto if necessary, return the same to the Court here as amended, with the following depositions taken before them, to wit.

Jacob Shellneck & others
vs
Robinson Eastburn

Action of Ejectment in Frederick County Court.

Depositions taken for the Plaintiff February Term 1825.

Adam Ronlson of age about 85 years after being duly summoned and sworn deposeth and saith, that at the place in written the circumference of one rod, there stood a white oak tree about 35 years ago, which said white oak tree was shown to the Deponent by John Eastburn as a tree standing on the line between the said John Eastburn lands and Leany's lands, and the said John Eastburn told this said deponent that the said white oak tree was a corner of his the said John Eastburns lands, this deponent saith that he the said John Eastburn was cutting grass in the said

Eastburns meadow which was about thirty yards from the said white oak tree at the time John Eastburn pointed it out to him this deponent, and further saith not.

Frederick Mahn aged about 51 years after being duly summoned and sworn deposeth and saith that the stump now pointed out by him is a white oak stump, and about 12 years ago he first became acquainted with said place, the tree was then standing on said stump, and that it was marked on four sides, and saith that a man by the name of Powell shewed it to him as the beginning of a tract of land called "Hoggyard" surveyed by Joseph Swearingen, at the making of the location in an ejectment in Frederick county court where Scott was plaintiff and Robinson Eastburn was defendant, and saith that it was shown by him this deponent to Thomas Wordrow when he was making a survey for Jacob Shultzingh and others and that the said Thomas Wordrow run from said stump as the beginning of the tract of land called "Hoggyard" and further saith not.

Nº 1 Joseph Swearingen aged about 68 years after being duly summoned and sworn deposeth and saith that the stone now shewn by him stands where a white oak tree laid, the beginning tree of a tract of land called "The Resurvey on Panmure". 2d. And saith that the place now shewn by him where stood a white oak tree the bounded tree of a tract of land called "Pigely". 3. And this deponent further saith after being shown and examined on one of the plots in an ejectment case tried in Frederick county court where George Scott was plaintiff and Robinson Eastburn Defendant, says that the location of the tract of land called "One Horn" made for the plaintiff in that suit and designated on said plots by beginning the same at the black letter C, to be a true location as made at that time, and at this time, he the said deponent saith he cannot designate the precise spot on the ground of the beginning of the tract of land called "One Horn". 4. And this Deponent further saith after being examined on the ground, that he thinks that the white oak stump mentioned in Frederick Mahn's deposition stands at the place it then and there shown by him as the beginning of a tract of land called "Hoggyard" in an Ejectment tried in Frederick county court where George Scott was plaintiff and Robinson Eastburn Defendt. And this deponent further saith after being examined and shown one of the plats in the aforesaid case Scott vs Eastburn, that the location of the tract of land called Hoggyard made for the Plaintiff designated on said plots by beginning the tract of land called "Hoggyard" at the black letter B to be a true location of the same as made at that time, and further this Deponent saith not.

These deositions were taken by me on the ground in the presence of the Sheriff the 2d day of Decr 1824

Given from under my hands and seals this 2d day of December 1824.

George Getzendanner Surv. F.C. (Seal)

Thos Scarlton Shff F.C. (Seal)

Additional depositions taken for the Plaintiff to February Term 1825.

Jacob Poffenberger (senior) aged about 82 years after being duly summoned and sworn deposeth and saith that the stone now pointed out by him was planted by Mr Wordrow the former county Surveyor when he was resurveying the plaintiff land as at that it now stands where it was then planted and saith that at the place where the aforesaid stone now stands there was a stump of a tree which appeared to have had blown down, and at the roots or apparently from the place where the tree stood, there was a planted stone, which planted stone this deponent saith was shown to him about 30 years since as being apply Robinson Eastburn the Defendant as the outside corner of his land and observed to this deponent that he comes not yet any further, and this deponent saith he did the said